

106TH CONGRESS  
2D SESSION

# H. R. 5286

To provide for a study of anesthesia services furnished under the Medicare Program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2000

Mr. WELDON of Florida (for himself and Mr. GREEN of Texas) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for a study of anesthesia services furnished under the Medicare Program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. STUDY AND REPORT ON ANESTHESIA SERV-**  
2 **ICES UNDER THE MEDICARE PROGRAM;**  
3 **MODIFICATION OF REGULATIONS REGARD-**  
4 **ING SUPERVISION OF CERTIFIED REG-**  
5 **ISTERED NURSE ANESTHETISTS.**

6 (a) STUDY.—(1) The Secretary of Health and  
7 Human Services shall conduct a multistate comparative  
8 study of mortality and adverse outcome rates of medicare  
9 patients by providers of anesthesia services and by type  
10 of such providers. In conducting the study, the Secretary  
11 shall develop comparative outcome data for a representa-  
12 tive sample of medicare patients based on the complexity  
13 of the anesthesia services furnished to such patients.

14 (2) In conducting the study, the Secretary shall con-  
15 sult with appropriate national professional organizations  
16 with respect to the methodology, and shall use medicare  
17 operating room reimbursement claims data verified by  
18 sampling of actual patient records.

19 (b) REPORT.—Not later than January 1, 2005, the  
20 Secretary shall submit to Congress a report containing the  
21 results of the study conducted under subsection (a).

22 (c) PROMULGATION OF REVISED REGULATIONS.—

23 (1) IN GENERAL.—Pending the completion of  
24 the study under subsection (a), the Secretary of  
25 Health and Human Services shall revise any regula-  
26 tions establishing conditions of participation under

1 the medicare program for hospitals and ambulatory  
2 surgical centers under title XVIII of the Social Se-  
3 curity Act relating to anesthesia services furnished  
4 under such program to provide that nurse anes-  
5 thetists may furnish anesthesia services as follows:

6 (A) Under the medical direction of an im-  
7 mediately available anesthesiologist.

8 (B) Under the supervision of an imme-  
9 diately available physician.

10 (C) If not under subparagraph (A) or (B),  
11 then under a written collaboration agreement  
12 with an immediately available physician or phy-  
13 sician group that is (i) experienced in the ad-  
14 ministration of anesthesia and (ii) credentialed  
15 by the hospital or ambulatory surgical center to  
16 participate in such collaboration.

17 (2) DEFINITIONS.—In this subsection:

18 (A) The term “medical direction” has the  
19 meaning given that term in regulation promul-  
20 gated by the Secretary pursuant to section  
21 1887(a)(1)(A) of the Social Security Act (42  
22 U.S.C. 1395xx(a)(1)(A)).

23 (B) The term “supervision” means the  
24 medical management of the anesthesia services  
25 furnished.

1           (C) The term “collaboration” means joint  
2           management by a physician and a nurse anes-  
3           thetist of anesthesia services furnished pursuant  
4           to a jointly-developed written agreement that  
5           defines the respective role of the collaborating  
6           parties, consistent with the respective levels of  
7           their education, training, and experience in fur-  
8           nishing such services.

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